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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,931 10/20/2003		Paul Sung	15436.98.1	4863
22913 Workman Nyde	7590 11/05/200 egger	EXAMINER		
1000 Eagle Gat	e Tower	CHERRY, STEPHEN J		
60 East South T Salt Lake City,			ART UNIT	PAPER NUMBER
•			2863	
			MAIL DATE	DELIVERY MODE
			11/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/689,931	SUNG, PAUL		
Examiner	Art Unit		
Stephen J. Cherry	2863		

2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal, and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s): 7. ☑ Rewly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) is (or will be) as follows: Claim(s) allowed: 45-47 and 55. Claim(s) objected to: Claim(s) objected to: Claim(s) objected to: Claim(s) is (or will be) as follows: Claim(s) withdrawn from consideration: 48-53, 56 and 57. AFFIDANT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. AFFIDANT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after the date of filing a Noti		Stephen 6: Cherry	2000	
1. ☑ The reply was filled after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, application in condition for allowance; (2) a Notice of Appeal (with appeal feet in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filled within one of the following replication in condition for allowance; (2) a Notice of Appeal (with appeal feet in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filled within one of the following time periods: a) □ The period for reply exprises on: (1) the mailing date of the final rejection. b) □ The period for reply exprises on: (1) the mailing date of the final rejection. Examiner Note: If the XI is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRML REJECTION. See WFEP 705.07(c). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee naver 57 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened situatory period for reply originally set in the final Office action: (2) as major videous any example appropriate extension fee native 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened situatory period for reply originally set in the final Office action: (2) as may reduce any example application of the shortened situatory period for reply originally set in the final office action: (2) as may reduce any example application of the date of filing the Notice of Appeal was filed on	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress
application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires	THE REPLY FILED 29 September 2008 FAILS TO PLACE THI	S APPLICATION IN CONDITION	FOR ALLOWANCE.	
b)	application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 Cperiods:	replies: (1) an amendment, affidaveal (with appeal fee) in compliance FR 1.114. The reply must be filed	it, or other evidence, w with 37 CFR 41.31; or	which places the r (3) a Request
no event, however, will the staulory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1. is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REFLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 768.07(f). Extensions of time may be obtained under 37 CFR 1.138(a) The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed in the period of the filed form of the fee. The appropriate extension fee as feet for the filed form and plant the mailing date of the final rejection, or (2) as set forth in (b) sbove, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) sbove, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) sbove, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as a final rejection of the feet of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37 must be filed within the time period set forth in 37 CFR 41.37(a). AMEXIMATE AND		·		
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	/Stephen J. Cherry/		Jnit 2863	

Application No. 10/689,931

Continuation of 11. does NOT place the application in condition for allowance because: The withdrawn claims are present in the application. Applicants argument regarding rejoinder are not persuasive because the withdrawn claims, including claim 48, do not require all of the limitations, including "enabling the calibration data to be accessed by one or more network devices of a global network", of allowed claim 45, as required by MPEP 821.04.